IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 12836 of 2004**

Between:

M/s. ICDS Limited, Regd Office at Syndicate House P.O. Manipal -567 119, Udupi District, Karnataka State, Branch Office at Bander Road. Vijayawada rep by Branch incharge, Sri. G.V. S. Subrahmanyeswara Rao S/o Late G. Narayana Rao R/o Vijayawada, Krishna District

**..... PETITIONER**

AND

1. The Deputy Superintendent of Police Vijayawada, Krishna District.
2. The Circle Inspector of Police North Zone Circle, Vijayawada.
3. The Sub Inspector of Police Machavaram Police Station, Law & Order (Crime) Vijayawada .

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction, particularly a Writ in the nature of Mandamus declaring the action of the respondents in harassing and threatening the Petitioner of arrest inspite of the stay granted by the Hon'ble Karnataka High Court in CA No. 777/2003 in CP No. 201/2002 as illegal, arbitrary, unjust contrary to law and unconstitutional.

**Counsel for the Petitioner:MR.K.V.SUBRAMANYA NARASU**

**Counsel for the Respondents: GP FOR HOME**

**The Court made the following :**

**ORDER:**

This writ petition is filed seeking a declaration that the alleged action of the respondents in harassing and threatening to arrest the officers of the petitioner as arbitrary and illegal.

The petitioner states that as a matter of fact, by virtue of the interim orders of the High Court of Karnataka in Company Petition No.201 of 2002, the petitioner was granted immunity from any legal proceedings that may be initiated for the realization of the amounts payable to the depositors by the petitioner company. It is alleged that in spite of the said orders, the respondents are taking coercive steps against the petitioner.

On behalf of the respondents, the Assistant Sub-Inspector of Police, Machavaram police Station, Vijayawada, KrishnaDistrict filed counter affidavit denying the allegations made by the petitioner and stating that at no point of time the respondents called the officers of the petitioner company to the police station and they never threatened nor asked them to repay the amounts to the depositors. It is also stated that no complaint, whatsoever, has been received against the officers of the petitioner company, and therefore, the question of threatening or harassing the officers of the petitioner company does not arise and that the writ petition has been filed on mere apprehensions.

In view of the counter-affidavit denying the allegations made by the petitioner, no further adjudication is necessary in the writ petition.

Accordingly, recording the statement of the respondents in the counter affidavit, the writ petition is disposed of. No cots.

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27.10.2004

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To

1. The Deputy Superintendent of Police Vijayawada, Krishna District.
2. The Circle Inspector of Police North Zone Circle, Vijayawada.
3. The Sub Inspector of Police Machavaram Police Station, Law & Order (Crime) Vijayawada

4. Two C.Cs to the G.P. for Home, High Court Buildings, Hyderabad (OUT).
5. Two C.D copies.